

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Victor Wesley Evans**

**Docket No. 5:09-CR-128-2BO**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Victor Wesley Evans, who, upon an earlier plea of guilty to Conspiracy to Manufacture, Distribute, and Dispense and Possession With Intent to Distribute 500 Grams or More of a Mixture and Substance Containing Methamphetamine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 23, 2009, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall pay a special assessment of \$100.00.
2. The defendant shall pay restitution in the amount of \$4,113.51.

On May 4, 2012, an order was filed, pursuant to a Rule 35 motion by the government, reducing the defendant's term of imprisonment from 120 months to 60 months. All other terms and conditions of the court's original judgment remained in full force and effect.

Victor Wesley Evans was released from custody on May 22, 2013, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant has a history of depression and drug use that began following the death of his best friend, who was killed in an automobile accident when the defendant was 21 years old. Approximately five to six years prior to his imprisonment, Mr. Evans was diagnosed with depression and was treated for the same. For at least six months prior to the commencement of his supervised release, the defendant was in a mental health treatment program which also addressed substance abuse. As a result of the defendant's history of depression and substance abuse, it is recommended that the defendant's conditions of supervised release be modified to include mental health treatment, substance abuse treatment, and warrantless searches by the United States Probation Office. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8660  
Executed On: June 14, 2013

**ORDER OF COURT**

Considered and ordered this 14 day of June, 2013, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge